

12-27-04

How



PATENT  
Attorney Docket No.: 2100/US/2  
Express Mail Label No.: EV 423776045 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Applicant	: Wagner et al.	
Appln. No.	: 10/645,264	Confirmation No.: 7339
Filed	: August 20, 2003	Group Art Unit: 3634
Title	: AUTOMATIC RETRACTABLE AWNING	Examiner: Purol, David M.

CERTIFICATE OF MAILING BY EXPRESS MAIL


MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby certifies that the following documents:

1. Supplemental Information Disclosure Statement (1 page);
2. Form PTO-1449 (1 page);
3. Copy of European Search Report (3 pages);
4. Copy of One (1) Reference;
5. Check in the Amount of \$180.00;
6. Certificate of Mailing by Express Mail (1 page); and
7. Return Card

relating to the above application, were deposited as "Express Mail" under 37 CFR § 1.10, Mailing Label No. EV 423776045 US, with the United States Postal Service addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 23, 2004.

  
\_\_\_\_\_  
Mailer's Signature  
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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
(37 C.F.R. §§ 1.97(d), 1.97(e)(1), 1.98 and 1.17(p))

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The Examiner is requested to consider the reference noted on the enclosed Form PTO-1449 during examination of the above-identified patent application. This reference is submitted for the Examiner's consideration and is submitted pursuant to the duty of disclosure under 37 C.F.R. § 1.56. In submitting this reference, no representation is made or implied that the reference is or is not material to the examination of the application. The Examiner is encouraged to make his or her own determination of materiality. A copy of the reference is provided herewith.

The reference cited on the attached Form PTO-1449 was cited in a European Search Report dated October 14, 2004 in corresponding European Patent Application No. 04252668.1, a copy of which is enclosed. U.S. Patent No. 6,273,172 also cited in the European Search Report was previously cited by the Examiner in an Office action dated August 20, 2004. Therefore, this reference is not enclosed.

This Information Disclosure Statement is filed after the period specified in 37 C.F.R. § 1.97(c), but before the payment of the issue fee, in accordance with 37 C.F.R. § 1.97(d). As such, this Information Disclosure Statement requires a statement according to 37 C.F.R. § 1.97(e) and the fee set forth in 37 C.F.R. § 1.17(p). A check in the amount of \$180.00

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Serial No. 10/645,264  
Attorney Docket No. 2100/US/2  
Express Mail Label No. EV 423776045 US

is enclosed. Should any other fees or petitions be required, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 as necessary.

**Statement Under 37 C.F.R. § 1.97(e)(1)**

Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Should the examiner have any questions please contact the undersigned attorney.

Dated: Dec. 22, 2009.

Respectfully submitted,



Gary M. Polumbus, Registration No. 25,364  
Attorney for Applicant  
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<b>FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Modified) PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)	<b>ATTY. DOCKET NO.</b> 2100/US/2	<b>APPLN. NO.</b> 10/645,264
	<b>APPLICANT:</b> Wagner et al.	
	<b>FILING DATE</b> August 20, 2003	<b>ART UNIT</b> 3634

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1.	2,567,424	11/11/1951	D'Azzo			

### U.S. PUBLICATION DOCUMENTS

EXAMINER INITIAL		PUBLICATION NUMBER	PUBLICATION DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

### FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION

EXAMINER INITIAL		DOCUMENT NUMBER	PUBLISHED DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

<b>EXAMINER INITIAL</b>	
<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	